**THE HON'BLE SRI JUSTICE C.V. RAMULU**

Wednesday, the 28th day of March,2007

**W.P.No.9254 of 1998**

Between:-

Andhra Pradesh Social Welfare
Residential Educational Institutions
Staff Association, C/o APSWREI society,
Telugu Samkshema Bhavan complex,
Masab Tank, Hyderabad, rep. by
its General Secretary … Petitioner

and

Andhra Pradesh Social Welfare
Residential Educational Institutions
Society, rep. by its Secretary,
Masab Tank, Hyderabad & others … Respondents

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**ORAL ORDER:**

This Writ Petition is filed seeking a Mandamus declaring the action of the respondents in not designating the Hindi Teachers, who are teaching higher classes in the Schools run by the 1st respondent-society as Post Graduate Teachers, as wholly arbitrary and illegal; consequently, to direct respondents 1 and 2 to designate the Hindi Teachers working under the 1st respondent as Post Graduate Teachers from the date on which they are discharging higher duties with consequential benefits attached to the post.

The main grievance of the petitioner-association is that the members of their association are discharging duties of Post Graduate Teachers; therefore, they are entitled to be designated as Post-Graduate Teachers together with emoluments attached to that post.

A detailed counter affidavit has been filed by the respondents denying the allegations made by the petitioner. It is asserted that in case of other subjects, such as Telugu, English, Mathematics, Science and Social Studies, there are two teachers i.e. one TGT and another PGT in all the A.P. Social Welfare Residential Schools. But, in respect of Hindi subject, there is no post of PGT (Hindi) and as such, the TGT (Hindi) has to teach the classes from VI to X. The other teachers of the institutions are also having the workload of 28 to 30 teaching periods per week, apart from the correction of note books, examination work, correction of papers, slow learners' coaching etc. The Hindi teachers working in APSWR institutions represented that they are deprived of promotional avenues i.e. from TGT to PGT and requested for upgradation of TGT post to that of PGT (Hindi) in all the Institutions

keeping in view the workload. The request of the Hindi teachers was considered and a proposal was sent to the Government vide Lr.No.E3/7643/94, dated 13-12-1994 of the 1st respondent for upgradation of the post of TGT (Hindi) to PGT (Hindi). The issue of upgradation of TGT (Hindi) to that of PGT (Hindi) was also placed in the XXIV meeting of the Board of Governors of A.P. Social Welfare Residential Educational Institutions Society held on 22-1-1996, in which it was resolved to recommend the proposal to the Government for consideration. The same was informed to the Government for issuing necessary Orders. The 1st respondent-society vide its Lr.No.G1/7643/94, dated 16-7-1998 again requested the Government to either accord permission for creation of second TGT (Hindi) post or upgradation of the existing post to PGT. But, the Government vide Lr.No.11004/SWRS/98-1, dated 31-8-1998 informed the society that the proposal is not agreeable and negatived it. Again, the Service Associations of the Society and the Hindi Teachers working in APSWR Institutions represented either for upgradation of the post of TGT (Hindi) or creation of additional TGT (Hindi) post to reduce the workload of Hindi teachers. This issue was again placed in the XXXI Board of Governors meeting of the Society held on 30-7-1999 and it was resolved to recommend the matter to the Government for reconsideration. Accordingly, the proposals were again sent to the Government for creation of one additional post of TGT (Hindi) in all APSWR Institutions vide letter No.G2/10572-M/99, dated 17-10-1999. However, the Government vide its letter No.17551/SWRS/1/99-2, dated 13-12-1999 informed the Society that the issue has been examined once again in consultation with the Finance Department and the proposal for sanction of one additional TGT (Hindi) post in APSWR Institutions was negatived. Therefore, the petitioners are not entitled for any relief as sought for in the Writ

Petition.

From the above, it appears, there is a workload of more than 30 teaching periods for Hindi Teachers when compared with other subjects. In all other subjects i.e., Telugu, English, Mathematics, Science and Social Studies, there are two types of teachers – one TGT and the other PGT - in all the Andhra Pradesh Social Welfare Residential Institutions. But, insofar as Hindi is concerned, there is only one post i.e. TGT (HIndi). Therefore, the Board of Governors of APSWRI Society took a decision and recommended for creation additional TGT (Hindi) post or upgradation of the post of TGT (Hindi), the same was rejected by the Government, as noticed above. This seems to be very very unreasonable on the part of the Government in negativing the recommendations made by the Board of Governors of the 1st respondent-society twice. But, the petitioners have not made any attempt in spite of filing the counter in the year 2001 to challenge the proceedings of the Government dated 31-8-1998 or 13-12-1999. The Writ Petition is devoid of any merit and is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. However, this order will not preclude the petitioners from filing an appropriate Writ Petition questioning the said Governmental Orders. No order as to costs.

28-3-2007

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